

### **REMARKS**

Claims 1-3 and 5-18 are currently pending in the application. Claims 1-3 and 5-18 have been amended. Claim 4 has been canceled. Applicant respectfully submits that no new matter has been added to the claims. Claims 4 and 12 have been indicated to be allowable if rewritten to overcome the claim objections presented by the Examiner. Claims 16 and 17 stand objected to as being dependent upon a rejected base claim, but have been indicated to be allowable if rewritten in independent form. Applicant appreciates the Examiners indication of allowable subject matter. Applicant respectfully requests reconsideration of the application in view of the foregoing amendments and the following remarks.

The drawings stand objected to for failing to comply with 37 C.F.R. 1.84(p)(4). Applicant respectfully submits a replacement drawing sheet to correct typographical errors committed by the Applicant. In the replacement drawing sheet, reference numeral 30, which refers to channels, has been replaced with reference numeral 31. Applicants respectfully submit that no new matter has been added. The specification has also been amended to incorporate the drawing changes.

The Abstract of the disclosure stands objected to due to the use of improper terms. Applicant respectfully submits that the Abstract has been amended as suggested by the Examiner.

Claims 2-5, 7, 10-13, and 18 stand objected to for various informalities. In response, Applicant respectfully submits that claims 2-3, 5, 7, 10-13, and 18 have been amended to overcome the Examiner's objections. In addition, claim 13 stands rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention. Applicant respectfully submits that claim

13 has been amended to overcome the Examiner's rejection.

Claims 1, 3, 5-7, 9-11, and 15 stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 4,666,679 to Masuda et al. ("Masuda"). Masuda relates to an ozonizer comprising layers of ceramic ozonizers. The ozonizer acts as a high-potency ion source when it is caused to generate a high-frequency corona discharge by applying a high-frequency voltage to an electrode provided on an insulating substance in the ozonizer. Applicant respectfully submits that Masuda fails to teach or suggest at least one of the distinguishing features of independent claim 1, namely, a first electrode provided on a first face of a dielectric member, wherein the first electrode is in contact with the first face of the dielectric member. In addition, Masuda fails to teach or suggest a second electrode provided on a second face of the dielectric member, wherein the second electrode is in contact with the second face of the dielectric member.

Masuda discloses an ozonizer comprising a substrate A of high quality made of fine ceramics and a facial electrode on the surface of the substrate. The ozonizer further comprises a corrugated support member 3 inserted in the space enclosed by the substrate, the pillar-shaped containment members 2 and a substrate B supported on the corrugated support member 3. When a high-frequency high voltage charge is applied to the electrodes 1 and 5, a high-frequency discharge is generated causing O<sub>2</sub>, for instance, to oxidize and become O<sub>3</sub>. The corrugated support members as disclosed in Masuda are ceramic supports and are non-conductive. In contrast to claim 1, there is no teaching or suggestion by Masuda of a first electrode in contact with a first face of a dielectric member and a second electrode in contact with a second face of the

dielectric member. In Masuda, the second electrode 5 is in contact with the non-conductive corrugated support member and is not in contact with the substrate, in contrast to claim 1. Applicant respectfully submits that claim 1 distinguishes over Masuda and is in condition for allowance. Withdrawal of the rejection of claim 1 as anticipated by Masuda is respectfully requested.

Dependent claims 3, 5-7, 9-11, and 15 depend from and further restrict independent claim 1 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 1, dependent claims 3, 5-7, 9-11, and 15 distinguish over Masuda and are in condition for allowance. Withdrawal of the rejection of dependent claims 3, 5-7, 9-11, and 15 is respectfully requested.

Claims 1, 2, 5-11, 14-15, and 18 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. 2001/0046459 A1 to St. Onge et al. ("St. Onge").

St. Onge relates to an ozone generator of a plate pair or stack-type plate design employing interleaved electrodes and dielectrics. Applicant respectfully submits that St. Onge fails to teach or suggest at least one of the distinguishing features of independent claim 1, namely, a first electrode provided on a first face of a dielectric member, wherein the first electrode is in contact with the first face of the dielectric member. In addition, St. Onge fails to teach or suggest a second electrode provided on a second face of the dielectric member, wherein the second electrode is in contact with the second face of the dielectric member.

In contrast to claim 1, St. Onge discloses a first dielectric having a first end, a second end, a first side, a bottom face, and a top face. The bottom face of the first dielectric is opposed to the

top face of a first electrode and separated therefrom so as to form a passageway for flow of air. Additionally, a second electrode is a corrugated plate and includes a first end, a second end, an entry side, an exit side, a bottom face and a top face. The bottom face of the second electrode is opposed to the top face of the first dielectric and separated therefrom so as to form a second passageway (St. Ogne Page 2, para 33-34 and Figs. 2-5). There is no teaching or suggestion by St. Ogne of a first electrode in contact with a first face of a dielectric member and a second electrode in contact with a second face of the dielectric member as disclosed in claim 1. Applicant respectfully submits that claim 1 distinguishes over St. Ogne and is in condition for allowance. Withdrawal of the rejection of claim 1 as anticipated by St. Ogne is respectfully requested.

Dependent claims 2, 5-11, and 14-15 depend from and further restrict independent claim 1 in a patentable sense. Applicant respectfully submits that, for at least the reasons set forth above with respect to the rejection of independent claim 1, dependent claims 2, 5-11, and 14-15 distinguish over St. Ogne and are in condition for allowance. Withdrawal of the rejection of dependent claims 2, 5-11, and 14-15 is respectfully requested.

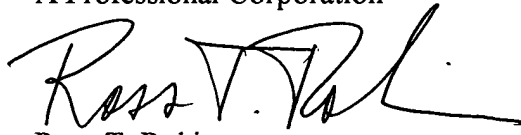
Independent claim 18 is directed to an ozone generator. Applicant respectfully submits that St. Ogne fails to teach or suggest at least one of the distinguishing features of independent claim 18, namely, a first electrode provided on a first face of a dielectric plate, wherein the first electrode is in contact with the first face of the dielectric plate. In addition, St. Ogne fails to teach or suggest a second electrode provided on a second face of the dielectric plate, wherein the second electrode is in contact with the second face of the dielectric plate. In contrast to claim 18, St. Ogne discloses a first dielectric having a first end, a second end, a first side, a bottom face, and

a top face. The bottom face of the first dielectric is opposed to the top face of a first electrode and separated therefrom so as to form a passageway for flow of air. Additionally, a second electrode is a corrugated plate and includes a first end, a second end, an entry side, an exit side, a bottom face and a top face. The bottom face of the second electrode is opposed to the top face of the first dielectric and separated therefrom so as to form a second passageway (St. Ogne Page 2, para 33-34 and Figs. 2-5). There is no teaching or suggestion by St. Ogne of a first electrode in contact with a first face of a dielectric member and a second electrode in contact with a second face of the dielectric member as disclosed in claim 1. Applicant respectfully submits that claim 18 distinguishes over St. Ogne and is in condition for allowance. Withdrawal of the rejection of claim 18 as anticipated by St. Ogne is respectfully requested.

In view of the above, it is believed that this application is in condition for allowance, and such a Notice is respectfully requested.

Respectfully submitted,

JENKENS & GILCHRIST,  
A Professional Corporation

A handwritten signature in black ink, appearing to read "Ross T. Robinson", with a stylized flourish extending to the right.

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